

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(Original, Design, Supplemental, Divisional, Continuation, CIP)

As the below named inventor, I hereby declare that:

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**CALICHEAMICIN DERIVATIVE - CARRIER CONJUGATES**

**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b), or (c))

- (a)  is attached hereto.
- (b)  was filed on November 3, 2003 as:
  - Application Number 10/699,874
  - Express Mail No. , as Application Number not yet known
- (c)  was described and claimed in PCT International Application No. filed on and as amended under PCT Article 19 on (if any).

**ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37 CFR 1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventors certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate of any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed.

(d)  No such applications have been filed.  
(e)  Such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority, check item (e), enter the details below and make the priority claim.

Earliest Foreign Application(s), if any, filed within 12 months (6 months for Design) prior to this U.S. Application

Country	Application No.	Date of Filing (Day, Month, Year)	Priority Claimed 35 USC 119

All Foreign Application(s), if any, Filed More Than 12 Months  
(6 Months for Design) Prior to This U.S. Application)

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(35 U.S.C. § 119(E))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<b>PROVISIONAL APPLICATION NUMBER</b>	<b>FILING DATE</b>
60/377,440	May 2, 2002

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**  
(UNDER 35 U.S.C. 120)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

<b>U.S. Applications</b>		<b>Status (Check One)</b>		
<b>U.S. Applications</b>	<b>U.S. Filing Date</b>	<b>Patented</b>	<b>Pending</b>	<b>Abandoned</b>
10/428,894	May 2, 2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>PCT Applications Designating U.S.</b>		
PCT APPLICATION NO.	PCT FILING DATE (Day, Month, Year)	U.S. APPLICATION NO. ASSIGNED (if any)

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Customer Number: 25291

Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO:**

Customer Number: 25291

**DIRECT ALL TELEPHONE CALLS TO:**

Name: Elizabeth M. Barnhard  
Tel. No. 973 660 7681

DECLARATION

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of SOLE OR FIRST INVENTOR: **Arthur KUNZ**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **11 Jennifer Drive, New City, New York 10956**  
Post Office Address: **Same as residence**

Full name of SECOND JOINT INVENTOR: **Justin Keith MORAN**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **682 Sierra Vista Lane, Valley Cottage, New York 10989**  
Post Office Address: **Same as residence**

Full name of THIRD JOINT INVENTOR: **Joseph Thomas RUBINO**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **4 Sunrise Way, Towaco, New Jersey 07082**  
Post Office Address: **Same as residence**

Full name of FOURTH JOINT INVENTOR: **Neera JAIN**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **Canada**  
Residence : **6 Capral Lane, New City, New York 10956**  
Post Office Address: **Same as residence**

Full name of FIFTH JOINT INVENTOR: **Eugene Joseph VIDUNAS**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **30 Witte Drive, Middletown, New York 10940**  
Post Office Address: **Same as residence**

Full name of SIXTH JOINT INVENTOR: **John McLean SIMPSON**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **417 Maple Avenue, Upper Nyack, New York 10960**  
Post Office Address: **Same as residence**

Full name of SEVENTH JOINT INVENTOR: **Nishith MERCHANT**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **115 E. Harriet Avenue, Palisades Park, New Jersey 07650**  
Post Office Address: **Same as residence**

Full name of EIGHTH JOINT INVENTOR: **John Francis DIJOSEPH**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **571 Linden Avenue, Woodbridge, New Jersey 07095**  
Post Office Address: **Same as residence**

Full name of NINTH JOINT INVENTOR: **Mark Edward RUPPEN**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **6 Lea Court, Garnerville, New York 10923**  
Post Office Address: **Same as residence**

Full name of TENTH JOINT INVENTOR: **Nitin Krishnaji DAMLE**

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship: **United States of America**  
Residence : **53 Stevenson Lane, Upper Saddle River, New Jersey 07458**  
Post Office Address: **Same as residence**

Full name of ELEVENTH JOINT INVENTOR: **Paul David ROBBINS**

Inventor's Signature Paul David Robbins Date April 22, 2004

Country of Citizenship: **United States of America**  
Residence : **19005 Raines Drive, Derwood, Maryland 20855**  
Post Office Address: **Same as residence**



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Country	Application No.	Date of Filing (Day, Month, Year)	Priority Claimed 35 USC 119

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60/377,440	May 2, 2002

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**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

<b>U.S. Applications</b>		<b>Status (Check One)</b>		
<b>U.S. Applications</b>	<b>U.S. Filing Date</b>	<b>Patented</b>	<b>Pending</b>	<b>Abandoned</b>
10/428,894	May 2, 2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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PCT APPLICATION NO.	PCT FILING DATE (Day, Month, Year)	U.S. APPLICATION NO. ASSIGNED (if any)

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Tel. No. 973 660 7681

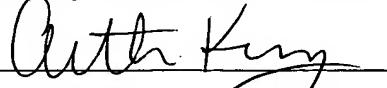
DECLARATION

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of SOLE OR FIRST INVENTOR: Arthur KUNZ

Inventor's Signature

 Date Apr 14, 04

Country of Citizenship: United States of America

Residence : 11 Jennifer Drive, New City, New York 10956

Post Office Address: Same as residence

Full name of SECOND JOINT INVENTOR: Justin Keith MORAN

Inventor's Signature

 Date 26 Apr 2004

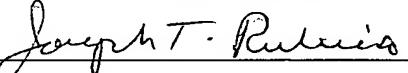
Country of Citizenship: United States of America

Residence : 682 Sierra Vista Lane, Valley Cottage, New York 10989

Post Office Address: Same as residence

Full name of THIRD JOINT INVENTOR: Joseph Thomas RUBINO

Inventor's Signature

 Date 14-April-2004

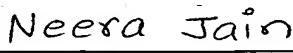
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 Date 14 - April - 2004

Country of Citizenship: Canada

Residence : 6 Capral Lane, New City, New York 10956

Post Office Address: Same as residence

Full name of FIFTH JOINT INVENTOR: Eugene Joseph VIDUNAS

Inventor's Signature

 Date 26 Apr 2004

Country of Citizenship: United States of America

Residence : 30 Witte Drive, Middletown, New York 10940

Post Office Address: Same as residence

Full name of SIXTH JOINT INVENTOR: **John McLean SIMPSON**

Inventor's Signature John McLean Simpson Date 21 April 2004

Country of Citizenship: **United States of America**

Residence : **417 Maple Avenue, Upper Nyack, New York 10960**

Post Office Address: **Same as residence**

Full name of SEVENTH JOINT INVENTOR: **Nishith MERCHANT**

Inventor's Signature Nishith Date 26 Apr 2004

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Inventor's Signature John Francis DiJoseph Date 4/14/04

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<b>U.S. Applications</b>	<b>U.S. Filing Date</b>	<b>Patented</b>	<b>Pending</b>	<b>Abandoned</b>
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SIGNATURE(S)

Full name of SOLE OR FIRST INVENTOR: **Andrew George POPPLEWELL**

Inventor's Signature A. G. Popplewell Date 23-4-04

Country of Citizenship: **United Kingdom**

Residence : **77 Grosvenor Road, Staines, Middlesex TW18 2RN, Great Britain**

Post Office Address: **Same as residence**

Full name of SECOND JOINT INVENTOR:

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship:

Residence :

Post Office Address:

Full name of THIRD JOINT INVENTOR:

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship:

Residence :

Post Office Address:

Full name of FOURTH JOINT INVENTOR:

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Country of Citizenship:

Residence :

Post Office Address: